

## **446 MOBILE AUDIO VIDEO**

### **446.1 PURPOSE AND SCOPE**

The Columbia Police Department has equipped marked patrol cars with Mobile Audio Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

#### **446.1.1 DEFINITIONS**

Definitions related to this policy include:

**Activate** - Any process that causes the MAV system to transmit or store video or audio data.

**In-car camera system and Mobile Audio Video (MAV) system** - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

**MAV technician** - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

**Recorded media** - Audio-video signals recorded or digitally stored on a storage device or portable media.

### **446.2 POLICY**

It is the policy of the Columbia Police Department to use mobile audio and video technology to more effectively fulfill the Department's mission and to ensure these systems are used securely and efficiently.

### **446.3 OFFICER RESPONSIBILITIES**

Prior to going into service, each officer will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer recording his/her name, PIN number and the current date and time at the start and again at the end of each shift. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

## **446.4.1 REQUIRED ACTIVATION OF THE MAV**

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer should activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- a. All field contacts involving actual or potential criminal conduct within video or audio range:
  1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
  2. Priority responses
  3. Vehicle pursuits
  4. Suspicious vehicles
  5. Arrests
  6. Vehicle searches
  7. Physical or verbal confrontations or response to resistance
  8. Pedestrian checks
  9. DUI/DWI investigations including field sobriety tests
  10. Consensual encounters
  11. Crimes in progress
  12. Responding to an in-progress call
- b. All self-initiated activity in which an officer would normally notify Public Safety Joint Communications.
- c. Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
  1. Domestic violence calls
  2. Disturbance of peace calls
  3. Offenses involving violence or weapons
- d. Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording.
- e. Any other circumstance where the officer believes that a recording of an incident would be appropriate.

## **446.4.2 CESSATION OF RECORDING**

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

## **446.4.3 WHEN ACTIVATION IS NOT REQUIRED**

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other employee of the city except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

#### **446.4.4 SUPERVISOR RESPONSIBILITIES**

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made,

On reasonable intervals, supervisors should validate that:

- a. Beginning and end-of-shift recording procedures are followed.
- b. Logs reflect the proper chain of custody, including:
  1. The law enforcement operator is properly logged into the system.
  2. Holds for evidence indication and tagging as required.
- c. The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recording (e.g., serious crime scenes, officer-involved shootings, department-involved accidents), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recording. The recording may need to be treated as evidence and should be handled in accordance with current evidence procedures for digital media.

#### **446.5 REVIEW OF MAV RECORDINGS**

All recorded images and audio recordings are the property of the City. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

When reasonably possible, a copy of the original recording shall be used for viewing (unless otherwise directed by the courts) to preserve the original digital file.

Recordings may be reviewed in any of the following situations:

- a. For use when preparing reports or statements
- b. By a supervisor investigating a specific act of officer conduct
- c. By a supervisor to assess officer performance
- d. To assess proper functioning of MAV systems
- e. By an investigator who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- f. By department personnel who request to review recordings
- g. An officer who is captured on or referenced in the video or audio data reviews and uses such data for any purpose relating to his/her employment
- h. By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- i. By the media through proper process or with permission of the Chief of Police or the authorized designee

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- j. To assess possible training value
- k. Recordings may be shown for training purposes. [c7]

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Watch Commander. Approved requests should be forwarded to the MAV technician for processing.

### **446.6 DOCUMENTING MAV USE**

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation indicating that the incident was recorded.

### **446.7 RECORDING STORAGE AND INTEGRITY**

All recordings will be stored as per the digital evidence policy and procedure. All recording media that is not booked as evidence will be retained in compliance with the records retention schedule.

#### **446.7.1 COPIES OF RECORDINGS**

Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

#### **446.7.2 MAV RECORDINGS AS EVIDENCE**

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer, or against the Columbia Police Department should indicate this in an appropriate report. Officers should also ensure relevant recordings are preserved.

### **446.9 MAV TECHNICIAN RESPONSIBILITIES**

The MAV technicians are responsible for:

- a. Verification of downloaded media. Once collected, the MAV technician:
  - 1. Ensures it is stored in a secured location with authorized controlled access.
  - 2. Makes the appropriate entries in the chain of custody log.
- b. Erasing of media:
  - 1. Pursuant to a court order.
  - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- c. Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

### **446.10 TRAINING**

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.